

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

M.M.M., on behalf of his minor child,
J.M.A., et al.,

Case No. 3:18-cv-1832-DMS

Plaintiffs,

v.

Jefferson Beauregard Sessions, III,
Attorney General of the United States,
et al.,

Defendant.

Ms. L, et al.,

Case No. 3:18-cv-428-DMS

Plaintiff,

ORDER

v.

U.S. Immigration and Customs
Enforcement, *et al.*,

Defendant.

ORDER

UPON CONSIDERATION of the Parties Joint Motion to Amend July 8, 2018
Protective Order, no opposition, and the record herein, it is, this 28th day of March

1 2019;

2
3 ORDERED, that the Parties Joint Motion to Amend July 8, 2018
4 Protective Order is hereby **GRANTED**;

5 ORDERED, that the July 8, 2018 Protective Order, and the terms and
6 conditions governing the production of confidential materials and information set out
7 in that document, shall equally apply to the Parties for purposes of facilitating and
8 implementing the Court's November 15, 2018 Order Certifying the Settlement
9 Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS
10 (S.D. Cal) (ECF 321)), and it is further,
11

12
13 ORDERED, that Section I of the July 8, 2018 Protective Order is
14 amended as follows (amended text is in redline):
15

16 I. Plaintiffs and Defendants (collective, the "Parties") in the above
17 captioned action *Ms. L., et al., v. U.S. Immigration and Customs*
18 *Enforcement, et al.*, Case No. 3:18-cv-00428-DMS ("Litigation" or
19 "Action") recognize that information about putative or confirmed class
20 members and their children exchanged by the Parties in the Litigation
21 for the purpose of facilitating compliance with the Court's preliminary
22 injunction order and/or implementing the Court's November 15, 2018
23 Order Certifying the Settlement Classes and Granting Final Approval of
24 Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) may
25 include private information related to individuals in the custody and care
of the United States Government and that such materials may
reasonably, in good faith, be confidential and protected from disclosure
to the public or to one or more of the Parties under Rule 26(c) of the
Federal Rules of Civil Procedure.

26 ORDERED, that Paragraph 1 of the July 8, 2018 Protective Order is
27 amended as follows (amended text is in redline):
28

1 **1. Scope.** The following terms govern with respect to class
 2 information exchanged by the Parties in the Litigation for the purpose
 3 of facilitating compliance with the Court’s preliminary injunction order
 4 and/or implementing the Court’s November 15, 2018 Order Certifying
 5 the Settlement Classes and Granting Final Approval of Class Action
Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) (collectively
 “Protected Material”).

6
 7 ORDERED, that Section 6(j) of the July 8, 2018 Protective Order is amended
 8 as follows (amended text is in redline):

9 **6. Access to Protected Material. . . .**

10 j. Any individuals or persons who Class Counsel designates for the
 11 purpose of facilitating the reunification of Class Members and their
 12 children and/or implementing the Court’s November 15, 2018 Order
 13 Certifying the Settlement Classes and Granting Final Approval of Class
 14 Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)), including
 15 (but not limited to) nonprofit organizations, lawyers, faith-based groups,
 16 shelters, or any other organization or individuals who may be able to
 17 assist in ~~that reunification~~ process. Given the urgency of the deadlines
 18 in the Court’s preliminary injunction order, the individuals or persons
 19 described in this paragraph may receive a limited set of PROTECTED
 20 MATERIAL as follows prior to executing Exhibit A, the
 21 Acknowledgment, as long as the information is treated as protected
 22 under this Order, and an Acknowledgment is signed within a reasonable
 23 time thereafter. Information which may be shared for the purpose of
 24 facilitating the reunification of Class Members and their children and/or
 25 implementing the Court’s November 15, 2018 Order Certifying the
 26 Settlement Classes and Granting Final Approval of Class Action
 27 Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) includes Class
 28 Members’ names and the name(s) of the class member’s child(ren);
 Alien Number for the Class Member and his or her child(ren); detention
 location or other location information regarding the Class Member and
 his or her child(ren). The individuals or persons described in this
 paragraph may receive any additional PROTECTED MATERIAL
 necessary to assist in facilitating reunification and/or implementing the
Court’s November 15, 2018 Order Certifying the Settlement Classes
and Granting Final Approval of Class Action Settlement (3:18-cv-428-
DMS (S.D. Cal) (ECF 321)) related to the class member(s) they are
 serving or being consulted to serve after signing the Acknowledgment.

1 The individual or organization may not receive information about any
2 other class members.

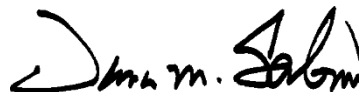
3 ORDERED, that Paragraph 13 of the July 8, 2018 Protective Order is amended
4 as follows (amended text is in redline):
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6 **13. This Order Only Applies To The Exchange of Information**
7 **About Putative or Confirmed Class Members and Their Children**
8 **For The Purpose Of Facilitating Compliance With The Court's**
9 **Preliminary Injunction Order and/or implementing the Court's**
10 **November 15, 2018 Order Certifying the Settlement Classes and**
11 **Granting Final Approval of Class Action Settlement (3:18-cv-428-**
12 **DMS (S.D. Cal) (ECF 321)).** Nothing contained in this Order shall
restrict or limit any Party's right to present Protected Material to the
Court during a trial in the Action. The use of Protected Material at trial
shall be governed by the pretrial order.

13 ORDERED, that any exchange or dissemination of confidential
14 materials and information are subject to the conditions set forth in the July 8, 2018
15 Protective Order, inclusive of the new amended terms/provisions relating to the
16 Protective Order's broader scope and applicability as a result of the Court's
17 November 15, 2018 Class Action Settlement. This Order shall be construed as a
18 lawful order pursuant to the Privacy Act permitting release consistent with the terms
19 of this Order.
20
21

22 IT IS SO ORDERED
23

24 Dated: March 28, 2019

25 

26 Hon. Dana M. Sabraw
27 United States District Judge
28